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APR 27 2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Scheinberg *et al.*

FILED: November 24, 2000

SERIAL NO.: 09/721,864

FOR: Alpha-Emitting Constructs and
Uses Thereof

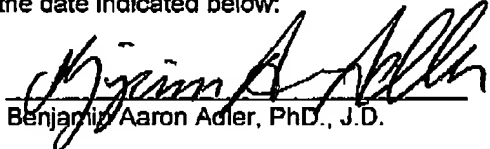
§ ART UNIT:
§ 1642
§
§ EXAMINER:
§ Davis, M.T.B
§
§ DOCKET:
§ D6126
§

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this Petition to Withdraw Holding of Abandonment was transmitted via facsimile to Mail Stop Issue Fee at 571-273-8300 on the date indicated below:

Date:

April 27, 2009
Benjamin Aaron Adler, PhD., J.D.PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R. §1.181(a)

Dear Sir:

Pursuant to 37 §C.F.R. 1.181(a) Applicants hereby petition that the holding of abandonment of the above-referenced application be withdrawn. The instant application became abandoned on March 24, 2009 for failure to timely pay the required issue fee(s). Applicants submit that the Fee(s) Transmittal, with a signed Certificate of Mailing or Transmission, and a Form PTO-2038, signed by the undersigned attorney of record, authorizing the Issue Fee and an Advanced Copy fee (no Publication Fee was required) to be charged to the credit card identified thereon was transmitted via facsimile to the USPTO at (571) 273-2885 on March 20, 2009.

Applicants submit true copies of the Fee(s) Transmittal, the credit card Form PTO-2038 and the undersigned's fax log. The March 20th transmission is circled at the bottom of the page. Applicants state that although the fax log indicated that the transmission was OK and that two pages were transmitted to the above fax number, a check of the file wrapper shows that no confirmation was received. However, Applicants did submit the required fees prior to the March 23, 2009 deadline to submit the same. Also, the undersigned states that it is policy to

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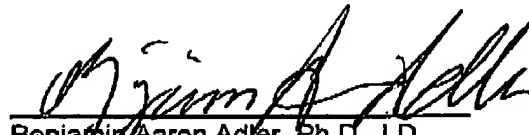
APR 27 2009

write on a document that it was faxed and on what date, as is evident on the copy of the Fee(s) Transmittal submitted herewith.

Accordingly, in view of these statements and submissions, Applicants request that the holding of abandonment be withdrawn as the required Issue Fee(s) were timely paid and that these fees be charged to the credit card identified on the enclosed Form PTO-2038. As such, Applicants respectfully request that the above-referenced application be passed to issuance. Applicants believe that no fees are due to file this Petition to Withdraw Holding of Abandonment under 37 C.F.R. §1.181(a), however, should this be in error, please debit any applicable fees from Deposit Account No. 07-1185 on which the undersigned is allowed to draw.

Respectfully submitted,

Date: April 27, 2009
ADLER & ASSOCIATES
8011 Candle Lane
Houston, Texas 77071
Tel.: (713) 270-5391
Fax: (713) 270-5361
Ben@adlerandassociates.com


Benjamin Aaron Adler, Ph.D., J.D.
Registration No. 35,423
Counsel for Applicant

FAX JOURNAL REPORT

TIME : 03/20/2009 12:27
 NAME : ADLERANDASSOCIATES
 FAX : 7132705361
 TEL : 7132705391
 SER.# : 000LBJ458565

| NO. | DATE | TIME | FAX NO./NAME | DURATION | PAGE(S) | RESULT | COMMENT |
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| #002 | 03/06 | 08:46 | 15712738300 | 36 | 01 | OK | TX ECOM |
| | 03/06 | 15:05 | | 02:35 | 11 | OK | TX ECOM |
| | 03/06 | 15:08 | | 53 | 01 | OK | TX ECOM |
| | 03/08 | 21:48 | | 51 | 03 | OK | TX ECOM |
| #003 | 03/09 | 08:18 | 2814453050 | 34 | 01 | NG | TX ECOM |
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| | 03/09 | 13:00 | | 19 | 01 | OK | TX ECOM |
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| #004 | 03/10 | 07:02 | +65 63337222 | 01:20 | 06 | OK | TX ECOM |
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| #005 | 03/10 | 09:26 | 15712738300 | 02:21 | 10 | OK | TX ECOM |
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| #008 | 03/12 | 09:52 | +613 98097555 | 25 | 01 | OK | TX ECOM |
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| #021 | 03/20 | 12:26 | 15712732885 | | | | |

BUSY: BUSY/NO RESPONSE
 NG : POOR LINE CONDITION / OUT OF MEMORY
 CV : COVERPAGE
 POL : POLLING
 RET : RETRIEVAL
 PC : PC-FAX